

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CR-12-298-D
)	
KIMBERLY DAWN LOGSDON and)	
WILLIAM MICHAEL LOGSDON,)	
)	
Defendants.)	

ORDER

As discussed with the parties during the November 4, 2013 hearing at which the Court denied Defendant William Michael Logsdon's motion to enforce a plea agreement, Mr. Logsdon's expressed intent to appeal that decision to the Tenth Circuit Court of Appeals results in circumstances which require additional action by the parties and the Court, thereby making it impracticable to commence the jury trial in this case on its scheduled November 5, 2013 date.

During the hearing and the second pretrial conference in this case, conducted on November 4, 2013, the Court discussed with the parties the impact on the scheduled November 5 trial date of the occurrences over the weekend. These events are described in the Court's previous order pursuant to Fed. R. Crim. P. 17.1 [Doc. No. 75].

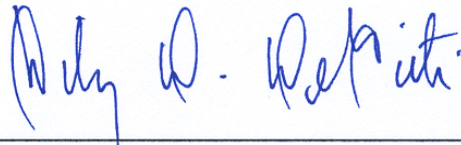
During the November 4 pretrial conference and hearing the Court inquired of the parties whether they object to a continuance of the trial until the December docket so that the case may proceed in an orderly fashion in light of the changed circumstances. None of the parties objected, and all are available for trial on Tuesday, December 3, 2013.

The Court notes that the Speedy Trial Act requirements for the defendants are not impacted by continuing the trial date, as the Speedy Trial deadlines do not expire until late December, and the

deadlines have been tolled by the filing of motions. Furthermore, the Court finds that the interests of the defendants and the public in a speedy trial is outweighed by the impact of unexpected circumstances on the eve of trial. To allow the parties a reasonable time in which to effectively resolve all issues and prepare for trial, if necessary, the Court finds that a continuance is warranted.

Accordingly, the trial of this matter is continued, and trial will commence on Tuesday, December 3, 2013.

IT IS SO ORDERED this 5th day of November, 2013.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE